

FALLICIOUS GORKHA CERTIFICATE AND INDIAN ARMY, INDIAN COAST GUARD ISSUE DARJEELING

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FALLICIOUS GORKHA CERTIFICATE AND INDIAN ARMY, INDIAN COAST GUARD
ISSUE DARJEELING

– DIPAK DE [HUMAN RIGHTS ACTIVIST; M.PHIL IN HUMAN RIGHTS]

Gorkha means Gorkha soldier of Gorkha Regiment of Indian Army and according to human rights philosophy and jurisprudence the Gorkha soldiers are Nepali mercenaries and these mercenaries would not get prisoner-of-war status and will be treated as criminals. For these Nepali mercenaries, the Indian citizens who are in military service, defence service to protect their mother land would suffer and consequently their families would also suffer. The enemy country would not be able to differentiate who are Nepali mercenaries and who are Indians in battle or when they will be captured or surrendered.

In a Resolution 44/34 in 72nd Plenary Meeting of December 1989 the United Nations adopted the International Convention against the Recruitment, Use, Financing and Training of Mercenaries. Nationality is the criteria to decide who is a mercenary, according to human rights philosophy and jurisprudence. A foreigner should not be recruited in Army as he/she is a mercenary.

In fact, both China and Pakistan objected to the involvement of Gurkha (*read Gorkha) troops in Sino-Indian and Indo-Pakistan wars, from the article Foreign Policy of Nepal: Persistence of Tradition, by Dr. Kanchanmoy Mojumdar, Professor of History of Nagpur University, 1986. The situation has changed after the adoption of International Convention against Mercenaries in 1989.

In order to ensure the regular supply of the Nepalese in the Indian army, in 1919 the British government provided the Nepal government with a gift of one million rupees annually in perpetuity, from the article Indo-Nepal Migration: Problems and Prospects by Vidya Bir Singh Kanskar, Tribhuban University, Nepal. This supply of Nepalese to Indian Army is unabated BUT since the Moist movement in Nepal and objection the supply of Nepalese is hampered. After the Independent of India In India, the recruitment of the

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Nepalese is not confined to Gorkha Rifles, they are to be found in large numbers in Assam Rifles as also in Jammu and Kashmir Rifles, Garhwal Regiment, Kumaon Regiment, Border Security Force, Central Reserve Police, and so on, Vidya Bir Singh Kanskar, Tribhuban University, Nepal. This recruitment is violating the Constitution of India as India got Independence and the Indian should be governed, administered and protect the country by Indians only AND NOT BY THE FOREIGNER NEPALESE.

In our Constituent Assembly this twenty-sixth day of November, 1949, do hereby adopt, enact and give to ourselves this Constitution.

The other name of a Nepali is not Gorkha, is not Gurkha and is not Lahure. Nepali origin means by birth he/she is a Nepali and has distinct language, culture, traditional dress, customs etc. The matter knows not only the Indians but also the world at large. So in the name of so-called Gorkha, Nepalese recruitment is going on in Indian Army, in India Coast Guard, in BSF, in CRPF etc. and the matter of Crime of Genocide [Crimes against Peace and Security of Mankind 1996] is continuing as the false, fictitious (untrue, unnatural) so-called Gorkhas are destroying the Nepali community under patronage, encourage of Government of India, Government of West Bengal etc.

THIS PHENOMENON i.e. recruitment of false, fictitious [untrue, unnatural] so-called Gorkhas, MIGHT BE STARTED SINCE THE YEAR 2006 after the issuing of Circular dated 12th July 2006 by the Addl. Chief Secretary to the Government of West Bengal in concurrence with Government of India vide copy to Addl. D.I.G. (Estt.), Director General, Border Security Force, New Delhi on the matter of issuance of GORKHA CERTIFICATE.

It is the history and empirical evidence that Nepalese emerged from Nepal, migrated from Nepal to India and settled all over India, especially Darjeeling and Sikkim were submerged under the incoming flood of Nepalese immigrants. After the Indo-Nepal Treaty 1950 in 31st July 1950 Nepalese of Nepal are entering India incessantly particularly in Darjeeling district, Jalpaiguri district, Sikkim, in North-East of India. They are legal foreigner Nepalese. Nepalese are also entered from Bhutan since 1988 in North Bengal particularly in the border areas of Bhutan and Darjeeling district, Jalpaiguri district of West Bengal. They might be illegal foreigner Nepalese though Government of India has not made any statement on these Bhutani-Nepalese so far.

Press Information Bureau
Government of India
Ministry of Home Affairs
09-March-2011 19:28 IST

Accurate Estimate of Infiltrators Not Possible
Since entry of foreign nationals infiltrated into the country is clandestine and surreptitious, it is not possible to have a correct

&&.Medical Standards: Minimum height 157 cms. (May be reduced by 5 cms in the case of Gorkhas, Nepalese, Assamese including those from Nagaland, Mizoram, Maghalaya, Arunachal Pradesh, Manipur, Tripura, Garhwal, Sikkim, local tribals of Andaman & Nicobar and &&.last date of receipt of Application 25 July 2011.

THE INDIAN ARMY

In an advertisement in The Telegraph, Calcutta Saturday 8 January 2011 THE INDIAN ARMY, NCC special Entry Scheme 30th Course OCT 2011, Short Service Commission (NT) for Men & Women.

In serial No.2. CONDITION OF ELIGIBILITY:

(a) Nationality: A candidate must either be: (i) A citizen of India, or (ii) A subject of Bhutan, or (iii) A subject of Nepal or, (iv) a Tibetan refugee who came over to India before the 1st of January 1962 with the intention of permanently settling in India or (v) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka and East African countries of Kenya, Uganda, the United Republic of Tanzania, Zambia, Malawi, Zaire and Ethiopia and Vietnam with the intention of permanently settling in India. Provided that a candidate belonging to categories (ii), (iii), (iv) and (v) above shall be a person in whose favour a certificate of eligibility has been issued by the Government of India. Certificate of eligibility will, however, not be necessary in the case of candidates who are Gorkha subjects of Nepal.

8. PHYSICAL STANDARD: Height and Weight The minimum acceptable height and weight for men is 157.5 cms with correlated weight and for women candidate 152 cm and 42 kg. In case of candidate belonging to the North East and hilly areas like Gorkhas, Nepalese, Assamese and Garhwalis, the height will be relaxed by 5 cms and weight commensurate with reduced height. In case of candidates from Lakshadweep, the minimum acceptable height can be reduced by 2 cms.

Government of West Bengal, Home Department, Political directed the District Magistrates of West Bengal to issue GORKHA CERTIFICATE [issue of Community Certificate for candidates belonging to Gorkha and Sikkimese Communities] vide Circular No. 3519 (18) P Date Kolkata, the 12th July, 2006 and in paragraph 4, it is mentioned a copy of the letter dated 13.09.2004 from Anthropological Survey of India, Department of Culture, Government of India, is enclosed for convenience.

The date of the letter of Anthropological Survey of India, Department of Culture, Government of India might be 10.09.2004 instead of 13.09.2004. There might be mistake to quote the date. Head of the Office Arun Kumar Singh, Anthropological Survey of India, Department of Culture, Government of India made a concocted, misleading statement with ulterior motive which has no relation with the fact, recorded history, empirical evidence, experience, news since the early years of Indo-Nepal migration in both the countries. This statement is It is also invariably a fact that in India any

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migrants from Nepal called themselves as the Gorkhas.

(A) According to Head of the Office Arun Kumar Singh, Anthropological Survey of India (ASI), Department of Culture, Government of India, Gorkha means who is a Nepali.

(B) Government of West Bengal followed the view of ASI i.e. Gorkha means who is a Nepali.

(C) BUT THE INDIAN ARMY AND INDIAN COAST GUARD STATED THAT (1) Nepalese and (2) Gorkhas are different and both have distinct identity.

(D) Gorkha Janmukti Morcha (GJM) of Darjeeling, the organization who is demanding Gorkhaland state by dividing the state of West Bengal, claiming that they are Gorkhas, they are not Nepalese and they belong to an ethnic/tribal group and demanded Schedule Tribe status from Government of India and Government of West Bengal.

GORKHA CERTIFICATE is fallacious to Indian Army and to Indian Coast Guard.

WHAT ARE THE DISTINCT AND SEPARATE LANGUAGE, CULTURE, LITERATURE, CUSTOMS, TRADITIONAL DRESS ETC OF so-called Gorkhas? Nepalese, Bengalese, Tamils etc have these properties.

Indian Army and Indian Coast Guard demanded

Gorkha Certificate for relaxation of height for recruitment of Gorkhas. A Format of Gorkha Certificate to be issued by Office of the District Magistrate, Darjeeling received through Internet. This is the Format

GOVERNMENT OF WEST BENGAL
OFFICE OF THE DISTRICT MAGISTRATE, DARJEELING
S.D.O s CONFIDENTIAL SECTION
No. _____ / SDO(C) Dated, Darjeeling _____, 2007

GORKHA CERTIFICATE

This is to certify that Sri / Sus / Smt

Son / Daughter of Sri / Smt

of _____ District Darjeeling belongs to Gorkha

Community as per
Certificate issued

by _____.

Vide No. _____ dated _____ and copies of documents
submitted by

the applicant and photo identified by

Sub-Divisional
Officer,
Photograph Darjeeling Sadar

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N.B. Certificate issued as per Order No.122 (4)/C dated 15.03.2007 of District Magistrate, Darjeeling.

The certificate has been issued without any verification and due enquiry due to paucity of time. All particulars including photo identification are subject to verification by the Certificate Accepting Authority / Employing Authority.

From this Format it appears that the Office of the District Magistrate, Darjeeling is forwarding a GORKHA CERTIFICATE issued by an UNAUTHORISED person and has not issued on the direction mentioned in paragraph 3 (three) of the Circular dated 12th July 2006 such as –

(a) holding due enquiry by responsible officer, (b) eligible Indian citizens (Article 5 of Constitution of India mainly applicable), (c) observing necessary procedural formalities.

Tripartite Agreement was made on 18th July 2011 between Government of India, Government of West Bengal and Gorkha Janmukti Morcha in Darjeeling district to form Gorkhaland Territorial Administration (GTA) in Darjeeling. Gorkha Janmukti Morcha is the organization of false, fictitious (untrue, unnatural) so-called Gorkhas.

There is no existence, there was no existence of Gorkha ethnic/tribal group, Gorkha race, Gorkha community in India, in Nepal and in the World. Census of Nepal and Census of India also reveals the matter besides the long history, empirical evidence etc.

Ethnic group and/or race and/or religious or/ and linguistic minority is/are the matter of international subject and the subject of human rights at present world.

No Gazette Notification, no Administrative order, no Agreement, no Resolution in Parliament can create ethnic group or race or community. Through natural process ethnic group or race is created. Ethnic group or race or community should be real, should be natural AND should not be unreal and unnatural. Human rights philosophy and jurisprudence support the real, natural ethnic group, race, community and oppose the unreal, unnatural ethnic group, race, community and inform the citizens on this matter.

PARLIAMENT

Smt. Dil Kumari Bhandari, is a Nepali according to information, born in Darjeeling on 14th May, 1949 was the Lok Sabha Member from Sikkim state. She represented Sikkim state from May 1985 27 November 1989 and from 20th June, 1991 10th May 1996. In 1992, during the debate on the Constitution (Amendment) Bill of Amendment of Eighth Schedule for the inclusion of Nepali language, she said in Parliament [I would like to quote from one document released in 1973 by Shri Subhas Ghisingh, I do not know whether I am allowed to take his name

or not. But I will read from his own document. I quote:

Jhoota Jati Gorkhali prate Nilojhanda ka general secretary, Subash Ghising ka Ghor Birod .

He again said:

Hami Gorkhali Hoi No we are not Gorkhas.

Hami Nepali we are Nepalis.

We are Nepalis and can preserve our language and culture by remaining Nepali.

[Please read the original documents/papers at your end]

Date: 15/08/2011. Dipak De

[Human Rights Activist; M.Phil in Human Rights; Member of Amnesty International; United Nations on line volunteer on Human Rights; National Human Rights Commission, New Delhi in a letter addressed me as a Human Rights Acitivist]